

**Town of Dover**  
**Board of Health, February 9, 2004**

The regular monthly meeting of the Dover Board of Health was held in Town Hall, 37 N. Sussex Street, Dover.

Board President Marie Hoffman called the meeting to order at 7:30 pm and announced that the meeting complies with the requirements of the Open Public Meetings Act and has been duly advertised and posted.

**ROLL CALL**

**PRESENT:** Marie Hoffman, Constance Sibona-Foster, Jean Cater, Donna Cook, Karen Vaughan

**ABSENT:** Christopher Chapman, Dr. Carlos Caprioli

**ALSO PRESENT:** Donald Costanzo, Health Officer

President Hoffman called for a motion to accept the minutes from the January, 2004 Reorganization Meeting of the Board of Health.

**A motion to accept the minutes from the January 2004 Reorganization Meeting of the Board of Health** was made by Donna Cook and duly seconded by Marie Hoffman.

**ALL AYES; NO NAYS.**

President Hoffman called for a motion to accept the minutes from the January 2004 Regular Meeting of the Board of Health.

**A motion to accept the minutes from the January 2004 Regular Meeting of the Board of Health** was made by Jean Cater and duly seconded by Donna Cook.

**CORRESPONDENCE:**

1. Letter from the US Dept. of Health & Human Services to the HO dated 1/16/04; Re: Web assisted audio conferences.
2. Letter from Princeton University to the HO dated 1/26/04; Re: questionnaire.

3. Letter from Saint Clare's Hospital to the HO dated 1/27/04; Re: 2004 services agreement.
4. Letter from Margaret Edwards to the HO dated 1/29/04; Re: notice of resignation.

President Hoffman asked the HO if there was any correspondence of significance.

The HO cited the letter from Margaret Edwards, Health Inspector, announcing her resignation. The matter will be discussed under new business.

**Prior to the formal commencement of the meeting President Marie Hoffman recognized Rosa Sanchez, former member of the Board of Health. President Hoffman presented Rosa Sanchez with a plaque thanking her for her service to the Board of Health.**

**The HO will present Carolyn Blackman with a plaque recognizing her service to the Board of Health during the week.**

#### **OLD BUSINESS:**

The Health Officer (HO) distributed to the monthly report to the Board.

Garbage tonnage for January 2004 was 436.66 tons; down from the same month one-year ago by 18.2 tons or 4.0%.

Garbage sticker receipts for January 2004 were \$1,549.00; down from the same month one-year ago by \$271.00 or 14.9%.

The HO informed the Board that on Saturday, January 31<sup>st</sup>, Alderman Camacho observed the garbage contractor collecting a large quantity of refuse from 284 W. Clinton Street without stickers. Alderman Camacho approached and questioned the men on the truck and reported the documented incident to Town officials.

After a meeting was held with the Administrator, Engineer, and owner of Blue Diamond Disposal, the owner of Blue Diamond terminated the employment of the responsible truck driver. A copy of a letter that was sent to the Town Administrator from Blue Diamond was shown to the Board.

As requested by the Board at last month's meeting, the HO prepared a draft resolution recognizing Warren Darnulc of 151 Grant Street for community service.

The resolution reads as follows:

**PROCLAMATION OF THE BOARD OF HEALTH  
Recognizing Warren Darnulc for  
Community Service**

**WHEREAS,** the goal of community betterment encompasses practices that reduce litter from our residential neighborhoods and protects the environment; and

**WHEREAS,** Warren Darnulc has served the community with distinction by actively keeping his neighborhood clean, healthy, and beautiful; and

**WHEREAS,** he has selflessly rendered service to the Town of Dover that deserves special recognition; and

**WHEREAS,** Warren Darnulc's dedication and efforts to keep Dover beautiful have won the respect and appreciation of the Board of Health;

**NOW, THEREFORE,** I, Marie Hoffman, President of the Dover Board of Health, do hereby extend on behalf of the Board of Health our sincere appreciation to Warren Darnulc for his dedication and effort in beautifying his neighborhood and community.

Following review, a motion to recognize Warren Darnulc for his community service was made by Jean Cater and duly seconded by Donna Cook.

**ALL AYES; NO NAYS**

The resolution will be sealed and mounted on a plaque. Mr. Warren Darnulc will be invited to next month's Board of Health meeting at which time he will be recognized by the Board.

The Board also suggested that a press release be written and sent to the local newspapers as well.

**NEW BUSINESS:**

The HO informed the Board that Margaret Edwards, the Registered Environmental Health Specialist, announced her resignation from the Dover Health Department. Ms. Edwards was taking a similar job in south Jersey to be with her husband who recently started a new job in the Philadelphia area.

The Health Department will proceed with a job applicant search through local health association newsletters, etc. once the administrative policies regarding hiring a replacement are clarified. The process is expected to go slowly since prior experience has demonstrated the difficulty in finding health inspectors.

Following previous procedures for selecting a new health inspector, the HO asked the Board to appoint a committee to conduct final interviews of the final three (3) candidates.

All members present, Marie Hoffman, Constance Sibona-Foster, Jean Cater, Donna Cook, and Karen Vaughan, stated an interest in serving on the committee.

The HO explained to the Board that the Health Education services agreement with the Morris Regional Public Health Partnership (MRPHP) that was approved at last month's meeting and which was the basis for the Public Health Priority Funding Grant application was cited for revision by the NJDHSS.

The NJDHSS informed the HO that the State wants grant money to go directly to the service provider rather than to a third party vendor such as the MRPHP. They recommended that the agreement for health education services be made directly with Chilton Memorial Hospital.

The matter was discussed with the MRPHP and Chilton Memorial who agree to work with the Dover Health Department to resolve the matter. The HO asked the Board of Health for its consideration in approving the termination of health education services with the MRPHP and switching the contract directly with Chilton Memorial Hospital.

**A motion was made by Marie Hoffman to terminate the existing agreement for Community Health Education Services with the Morris Regional Public Health Partnership (MRPHP) and to enter into a direct and similar agreement for Community Health Education Services with Chilton Memorial Hospital at an hourly rate of \$35 per hour and at an annual fee of \$9,100.00.** The motion was duly seconded by Jean Cater.

#### **ROLL CALL VOTE. ALL AYES; NO NAYS**

The HO raised the issue of raising fees for vital records, health programs, and retail food establishment fees. A copy of the draft amendments to local fee ordinances was distributed to the Board.

**The Board of Health introduced an ordinance amending and supplementing Chapter 401 of the Revised General Code of the Town of Dover entitled "Fees", and which regulates fees for vital statistics, clinics and personal health programs within the Town of Dover.**

The ordinance reads as follows:

**AN ORDINANCE OF THE BOARD OF HEALTH OF THE TOWN OF DOVER, COUNTY OF MORRIS AND STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 401 OF THE REVISED GENERAL CODE OF THE TOWN OF DOVER ENTITLED "FEES"**

**WHEREAS**, the Board of Health has recommended several changes to Chapter 401 entitled “Fees”, said Ordinance which regulates fees for vital statistics, clinics and personal health programs within the Town of Dover; and

**WHEREAS**, the Board of Health has requested that said Ordinance be prepared to reflect an amended fee schedule.

**NOW, THEREFORE, BE IT ORDAINED**, by the Board of Health of the Town of Dover, County of Morris and State of New Jersey that:

**SECTION 1.** entitled “Establishment of fees” shall be amended as follows:

**A. VITAL STATISTICS:**

- (1) Ten (\$10.00) Dollars for a certified copy of a Birth, Death, or Marriage Certificate.
- (2) Ten (\$10.00) Dollars for the preparation of a correction of a Birth, Death or Marriage Certificate.
- (3) Five (\$5.00) Dollars for a certification of a Birth, Death or Marriage Certificate or a certified copy of a correction to a vital record.
- (4) Ten (\$10.00) Dollars per five (5) year period from any person making an application for Birth, Death, or Marriage Certificate where the date of occurrence of the event is unknown. This fee shall be in addition to the fee for the copy.

**B. CLINIC FEES:**

- (1) Child Health Conference (well baby clinic): fifteen (\$15.00) dollars per child per year.
- (2) Pediatric Dental Clinic (dental clinic): fifteen (\$15.00) dollars per child per year.

**C. PERSONAL HEALTH PROGRAMS:**

- (1) Female Cancer Screening: twenty (\$20.00) dollars.
- (2) Male Cancer Screening: twenty (\$20.00) dollars
- (3) Coronary Risk Profile (SMAC): fifteen (\$15.00) [ten (\$10.00) dollars for seniors sixty (60) years and older].

**SECTION 2.** All Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 3.** If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable.

**SECTION 4.** This Ordinance shall take effect upon final publication as provided by law.

**A motion to pass the above introduced ordinance on first reading was made by Constance Sibona-Foster and duly seconded by Marie Hoffman.**

**ROLL CALL VOTE. ALL AYES; NO NAYS**

**Regarding retail food establishment fees, the Board of Health introduced and ordinance amending Chapter 407 of the Revised General Code of the Town of Dover entitled “Food-Handling Establishments, Retail” and which regulates retail food-handling establishments within the Town of Dover.**

The ordinance reads as follows:

**AN ORDINANCE OF THE BOARD OF HEALTH OF THE TOWN OF DOVER, COUNTY OF MORRIS AND STATE OF NEW JERSEY, AMENDING CHAPTER 407 OF THE REVISED GENERAL CODE OF THE TOWN OF DOVER ENTITLED “FOOD-HANDLING ESTABLISHMENTS, RETAIL”**

**WHEREAS**, the Board of Health has recommended several changes to Chapter 407 entitled “Food-Handling Establishments, Retail”, said Ordinance which regulates retail food-handling establishments within the Town of Dover, as well as requiring permits for the operation thereof and providing for inspections of such establishments and fixing penalties for violations; and

**WHEREAS**, the Board of Health has requested that said Ordinance be prepared to reflect an amended fee schedule.

**NOW, THEREFORE, BE IT ORDAINED**, by the Board of Health of the Town of Dover, County of Morris and State of New Jersey that:

**SECTION 4. Subsection 4 (b) entitled “Fees” shall be amended as follows:**

<b><u>Type of Establishment</u></b>	<b><u>Annual Fee</u></b>
a. Restaurant, hotel, café, tavern, luncheonette, diner, soda fountain, food market, delicatessen, bakery, or similar establishment:	
1. Total floor area less than 5,000 square feet	\$100.00
2. Total floor area between 5,000 and 10,000 square feet	\$150.00
3. Total floor area greater than 10,000 square feet	\$200.00
b. Food Vending Vehicle, Caterers	\$100.00
c. Day Care Centers, Social Clubs	\$ 50.00
d. Seasonal Agricultural Market	\$ 50.00
e. Flea Market	\$100.00
f. Temporary License	\$ 25.00

**SECTION 5.** All Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 6.** If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable.

**SECTION 7.** This Ordinance shall take effect upon final publication as provided by law.

**A motion to pass the above introduced ordinance on first reading was made by Marie Hoffman and duly seconded by Donna Cook.**

**ROLL CALL VOTE. ALL AYES; NO NAYS**

**THE MEETING WAS OPENED TO BOARD MEMBERS WHO WISHED TO DISCUSS A PARTICULAR ISSUE.**

Constance Sibona-Foster shared photographs of the garbage containment area of Dover Hill Apartments located on First Street. The pictures revealed dumpsters that were overfilled and spilling garbage and the surrounding area heavily littered with garbage accumulations. The complex needed more containers to hold garbage and should be enclosed.

Marie Hoffman asked why the garbage problem shown in the photos was not resolved. The HO did not have an answer. The matter, including the photographs, will be referred to the Housing Department for follow-up.

Constance Sibona-Foster raised the subject of a local resident that is serving food (sandwiches) to the homeless at the JFK Commons park without a permit. The resident was featured in a newspaper article published by the Daily Record. The resident's name is Joann Tyler.

The HO stated that it was, in fact, illegal to serve food without a health permit. A copy of the article will be obtained and an investigation conducted so this activity can be controlled.

Ms. Sibona-Foster also mentioned that a resident who she knows that walks with a cane occasionally brings recyclables to the recycling center at the public works garage. She was asking about features of the facility that accommodate the handicapped. It was mentioned that employees would probably help a resident who was handicapped deposit their recyclables.

Ms. Sibona-Foster stated that recently she had noticed garbage out at the curb on Prospect Street at the wrong time that was unsightly. This is a problem that occurs on streets on

weekends when no one is available to inspect. Ms. Sibona-Foster would like to be able to hand-out a courtesy letter to a resident informing them that it is not a garbage collection day and to please remove the garbage and/or recyclables from the curb. The HO stated that he will check with the administrator's office if it is ok for a member of the Board of Health to issue such a notice.

**PRESIDENT MARIE HOFFMAN OPENED THE MEETING TO THE GENERAL PUBLIC FOR COMMENTS**

Mr. Foster of Penn Avenue and Ms. Kline of Jackson Avenue were present from the public.

Mr. Foster commented about the garbage dumpster issue at Dover Hills Apartments. He felt that landlords who permit these types of conditions to exist should be fined.

Robin Kline expressed concerns that the ordinances regulating dumpsters were not being enforced. Containers that are overfilled and spilling garbage are unsightly, unpleasant and a blight on the community. Ms. Kline questioned why the law was not being enforced and suggested that the Board of Health request the records from the Housing Department regarding Dover Hills Apartments.

Ms. Kline stated that she understood the human health issues as well as the environmental health issues that health departments face. However, you can not ignore the environmental issues.

President Marie Hoffman stated that the HO will go to the Housing Department and report the complaint regarding the dumpster conditions cited in the photographs.

Constance Sibona-Foster concluded with a comment that garbage related problems are a growing concern and an important issue in the community.

Upon completion of the public portion of the meeting, President Hoffman entertained a **motion to adjourn the meeting**. A **motion to adjourn the meeting** was made by Donna Cook and seconded by Marie Hoffman.

**ALL AYES; NO NAYS**

**MEETING ADJOURNED**